

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff

v.

[3] RACIEL GARCIA,
Defendant.

Criminal No. 08-217 (ADC)

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Camille Vélez-Rivé on January 13, 2009. (**Docket No. 99**). In said Report and Recommendation the Magistrate-Judge recommends that: defendant **Raciel García** be adjudged guilty of the offenses charged in Count One of the Indictment (T. 18, U.S.C. § 1347 and 1349) inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

Accordingly, a judgment of conviction is to be entered as to Count One of the Indictment in the above-captioned case.

The sentencing hearing is set for May 13, 2009 at 5:00 p.m.

IT IS SO ORDERED.

At San Juan, Puerto Rico, this 11th day of February, 2009.

S/AIDA M. DELGADO-COLON
United States District Judge